

**REMARKS**

Claims 1, 2, and 14-16 stand rejected under 35 U.S.C. 102(e) as being anticipated by Nishida (6,505,476). The Examiner contends that Nishida discloses a method of optimizing a coefficient of performance of a refrigeration system including the steps of comparing a sensed parameter to an efficiency parameter, determining a state of efficiency of the system based on the step of comparing and adjusting the refrigeration system if the refrigeration system is operating in an inefficient state, and therefore the claimed invention is anticipated. Applicant respectfully disagrees.

The claimed invention is not anticipated by Nishida. Nishida does not disclose a method of optimizing a coefficient of performance of a refrigeration system including the step of comparing a sensed parameter to an efficiency parameter representative of an efficient refrigeration system. In step 670 of Nishida, an air temperature  $T_r$  of air blown from a radiator 200 is compared to a target temperature  $T_t$ . The target temperature  $T_t$  is calculated based on a temperature  $T_s$  set by a temperature setting unit 660 and an inlet air temperature  $T_i$  of air flowing into the radiator 200 as detected by an inlet air temperature sensor 640 (column 11, lines 23-29). When the air temperature  $T_r$  equals the target temperature  $T_t$ , the coefficient of performance is calculator at step 680. At the step 690, the speed of a compressor 100 and an opening degree of a pressure control valve 300 are then changed to determine an effective efficiency. The target temperature  $T_t$  is not representative of an efficient system. The target temperature  $T_t$  only represents a desired temperature of the air exiting or blown from the radiator 200. If the target temperature  $T_t$  represented an efficient system, it would not be necessary to perform the later steps of adjusting the speed of the compressor 100 and the opening degree of the expansion valve 300. Nishida does not disclose that the target temperature  $T_t$  is representative of an efficient system as claimed. The claimed invention is not anticipated, and Applicant respectfully requests that the rejection be withdrawn.

Claims 1-19 are in condition for allowance. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the

account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully submitted,

**CARLSON, GASKEY & OLDS, P.C.**

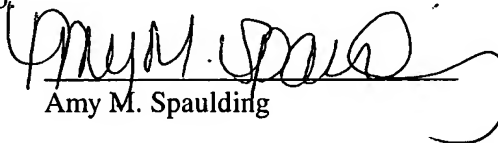


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**CERTIFICATE OF MAILING**

I hereby certify that the attached response is being deposited with the U.S. Postal Service as First Class Mailing, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 20, 2005.

  
Amy M. Spaulding